

No. 4:10-CR-71-FL-1
No. 4:12-CV-104-FL

dismissed on procedural grounds, a certificate of appealability will not issue unless the petitioner can demonstrate both "(1) 'that jurists of reason would find it debatable whether the petition [or motion] states a valid claim of denial of a constitutional right' and (2) 'that jurists of reason would find it debatable whether the district court was correct in its procedural ruling.'" Rose v. Lee, 252 F.3d 676, 684 (4th Cir.2001) (quoting Slack v. McDaniel, 529 U.S. 473, 484 (2000)). After reviewing the petition, the court finds that the applicable standard has not been met. Accordingly, a certificate of appealability will be denied.

The clerk of court is directed to close the case.

SO ORDERED, this the 26th day of February, 2013.

A handwritten signature in black ink, reading "Louise W. Flanagan". The signature is written in a cursive, flowing style.

LOUISE W. FLANAGAN
United States District Judge